

REMARKS

In the Office Action mailed November 3, 2009 the Examiner noted that claims 3-6, 17, 19 and 20 were pending, and rejected all claims. Claims 3, 19 and 20 have been amended, and, thus, in view of the forgoing claims 3-6, 17, 19 and 20 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

Page 2 of the Office Action rejects claims 3-6, 17, 19 and 20 under 35 U.S.C. § 103 over Oda and Fujioka.

As shown in Oda figures 4 and 13-15, "possible" body parts of a user of an ATM are captured in several different images. For example, figure 14 shows a coin slot image b1 with no body part showing, a bill slot image b2 of a hand image, and a face image a1 showing a face. That is, the body parts are shown in different or segmented (discontinuous) images. Because the images are segmented and discontinuous, it is not possible to be certain from the images that the upper torso and the hand are from the same person.

In contrast, as shown in application figure 5B, the face, torso and hand are captured in one continuous image so that the image shows the face "down to the hand of the customer 7" where the hand can be seen "in the bill receptacle" (see application page 9, line 8+). Claim 3 has been amended to emphasize this continuous image feature ("where said security camera captures an upper torso of the customer and a hand of the customer inserted into said currency bill receptacle in one continuous image"). Likewise claim 19 emphasizes "where said security camera captures an upper torso of the customer and a hand of the customer inserted into said currency bill receptacle in one continuous image" and claim 20 goes further and emphasizes "where said security camera captures a face of the customer, an upper torso of the customer and a hand of the customer inserted into said currency bill receptacle in one continuous image".

As compared to Oda, claims 3, 19 and 20 allow the ATM to capture an image from which it is clear that the person whose hand is in the bill receptacle is the same person whose upper torso image has been captured. This is a distinct security advantage provided by claims 3, 19 and 20 as compared to Oda.

Further, as shown in Oka figures 1, 7 and 34, the camera is not positioned in the bill receptacle ("in said currency bill receptacle") as called for in claim 3, 19 and 20.

Fujioka is cited for its alleged teaching of a shutter and has not been shown to add anything to Oda with respect to the features discussed above.

It is submitted that the independent claims 3, 19 and 20 distinguish over the cited prior

art and withdrawal of the rejection is requested.

It is submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 2/12/10

By: 
J. Randall Beckers
Registration No. 30,358

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

USPTO was closed
Feb 8-12, 2010